

# House Amendment 1076

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1 1 Amend the amendment, H=1063, to House File 333, as  
1 2 follows:  
1 3 #1. Page 1, by striking lines 7 through 20 and  
1 4 inserting the following:  
1 5 <#\_\_\_\_. Page 4, lines 2 and 3, by striking the  
1 6 words <paragraphs "b" and "c"> and inserting the  
1 7 following: <paragraph "b">.  
1 8 #\_\_\_\_. By striking page 4, line 34, through page 5,  
1 9 line 35, and inserting the following:  
1 10 <b. The public improvement project's total  
1 11 estimated cost is one million five hundred thousand  
1 12 dollars or more and at least twenty percent of the  
1 13 funding is satisfied by state funds, as defined in  
1 14 section 8.2, directed specifically for infrastructure  
1 15 purposes.>  
1 16 #\_\_\_\_. Page 6, by inserting before line 1 the  
1 17 following:  
1 18 <\_\_\_\_. "Vertical infrastructure" includes but is  
1 19 not limited to the public improvement of buildings,  
1 20 appurtenant structures, and utilities; and site  
1 21 development.>  
1 22 #\_\_\_\_. Page 7, by striking lines 20 through 35 and  
1 23 inserting the following:  
1 24 <4. a. (1) Vertical infrastructure-related state  
1 25 licensing boards shall require licensees to submit  
1 26 wage rates and fringe benefits rates data once a year.  
1 27 A state licensing board shall transmit the data  
1 28 annually to the division.  
1 29 (2) Vertical infrastructure-related contractors,  
1 30 who are registered with the division pursuant to  
1 31 chapter 91C, who participate in an apprenticeship  
1 32 program approved by and registered with the United  
1 33 States department of labor's office of apprenticeship,  
1 34 and who provide health insurance and retirement  
1 35 benefits for their workers shall submit wage rates and  
1 36 fringe benefits rates data once a year to the  
1 37 division. The commissioner shall create an internet  
1 38 website and paper forms for contractors to submit the  
1 39 required information.  
1 40 (3) All parties shall keep the wage rates and  
1 41 fringe benefits rates information confidential.  
1 42 (4) An individual who intentionally provides  
1 43 misinformation about wage rates, fringe benefits  
1 44 rates, or work locations commits a violation under  
1 45 this chapter and shall be penalized one hundred  
1 46 dollars per violation. A violation under this  
1 47 subsection is grounds for a loss of licensure or  
1 48 registration with the division, as applicable, which  
1 49 shall be in addition to any penalty otherwise  
1 50 authorized by this subsection.  
2 1 b. The labor commissioner shall determine wage  
2 2 rates and fringe benefits rates using data only from  
2 3 licensees who receive health insurance and retirement  
2 4 benefits collected under paragraph "a", subparagraph  
2 5 (1), and all data collected under paragraph "a",  
2 6 subparagraph (2). The prevailing wage rates and  
2 7 fringe benefits rates determined in each locality  
2 8 shall be set at the wage rate and fringe benefits rate  
2 9 that thirty percent or more of those employed in a  
2 10 particular craft, classification, or type of work are  
2 11 paid in total. If a common wage rate and fringe  
2 12 benefits rate is not paid to at least thirty percent  
2 13 of those employed in a particular craft,  
2 14 classification, or type of work, the total of the wage  
2 15 rates and fringe benefits rates of all workers in a  
2 16 particular craft, classification, or type of work  
2 17 shall be calculated and the average wage rate and  
2 18 fringe benefits rate shall be the prevailing wage rate  
2 19 for that particular craft, classification, or type of  
2 20 worker in that locality.>  
2 21 #\_\_\_\_. Page 8, line 1, by striking the word <b.>  
2 22 and inserting the following: <c.>  
2 23 #\_\_\_\_. Page 8, by striking lines 5 through 11.  
2 24 #\_\_\_\_. Page 8, line 12, by inserting after the

2 25 figure <6.> the following: <a.>  
2 26 #\_\_\_\_. Page 8, by striking lines 17 through 23 and  
2 27 inserting the following: <horizontal and  
2 28 transportation infrastructure.  
2 29 b. However, for federal Davis-Bacon Act prevailing  
2 30 wage rates to apply, the public improvement described  
2 31 in paragraph "a" must meet one of the following  
2 32 descriptions:  
2 33 (1) The project is funded by the state or the  
2 34 state board of regents and the total estimated cost is  
2 35 one hundred thousand dollars or more.  
2 36 (2) The project is funded by a school district and  
2 37 the total estimated cost is three hundred thousand  
2 38 dollars or more.  
2 39 (3) The project is funded by a county with a  
2 40 population of forty thousand or more and the total  
2 41 estimated cost is one hundred thousand dollars or  
2 42 more. Population, for the purposes of this  
2 43 subparagraph, shall be based on the most recent United  
2 44 States census bureau annual census figures. Beginning  
2 45 in 2011, the most recent United States census bureau  
2 46 decennial census figures shall be used to calculate  
2 47 population for the purposes of this subparagraph.  
2 48 (4) The project is funded by a city with a  
2 49 population of twenty thousand or more and the total  
2 50 estimated cost is one hundred thousand dollars or  
3 1 more. Population, for the purposes of this  
3 2 subparagraph, shall be based on the most recent United  
3 3 State census bureau annual census figures. Beginning  
3 4 in 2011, the most recent United States census bureau  
3 5 decennial census figures shall be used to calculate  
3 6 population for the purposes of this subparagraph.  
3 7 (5) The total estimated cost of the project is one  
3 8 million five hundred thousand dollars or more,  
3 9 regardless of the public body's population.  
3 10 c. An objections and appeals process to be  
3 11 established by the department of transportation in  
3 12 accordance with chapter 17A shall be made applicable  
3 13 to the public improvement described in paragraph  
3 14 "a".>>  
3 15 #2. By renumbering as necessary.  
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3 19 BAILEY of Hamilton  
3 20 HF 333.217 83  
3 21 ak/rj/21664